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October 6, 2015

Hon. Leda D. Wettre
United States District Court
Martin Luther King Jr. Federal Courthouse
50 Walnut Street
Newark, New Jersey 07102
via PACER and by fax to 973-645-3535

Re: NVE Inc. v. Palmeroni
Civil Action No. 06-5455

Dear Judge Wettre:

The above action is scheduled for a telephone conference at 4:00 p.m. this afternoon. I will be participating (hands free) on my cell phone as I drive to West Orange.

I have calendar difficulties which will probably impact the scheduling order I expect Your Honor will impose. I write to Your Honor in the hope that these difficulties can be reconciled with the docketing needs of this case.

I have a seven day trial in Union County with four adversaries which is scheduled to begin on November 2d; superimposed on that is an Appellate Division argument on November 3d. I also have two Superior Court motions on October 23d - one in Hackensack and the other in Toms River.

Hon. Leda D. Wettre

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My major concern is with the case of MSKP Oak Grove, LLC v. Venuto, Civil Action No. 10-6465. My response to a Daubert motion is due on October 19th. My adversary does not want to depose my expert until after my opposition is filed. The deadline for completion of expert depositions is October 29th, and we have no mutually free dates. Plaintiff's portion of the final pretrial order is due on October 23d, and the complete final pretrial order is due on November 6th. I am writing to Judge Schneider for an extension of time, but I am not optimistic.

Respectfully submitted,



Robert A. Vort

RAV:bap

cc: Aidan O'Connor, Esq.
Robert Basil, Esq.
Mr. Jesus J. Palmeroni
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